

REMARKS

In view of both the amendments presented above and the following discussion, the Applicants submit that none of the claims now pending in the application is anticipated under the provisions of 35 USC § 102. Thus, the Applicants believe that all of these claims are now in allowable form.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, the Examiner should telephone Mr. Peter L. Michaelson, Esq. at (732) 530-6671 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Summary of Telephone Interview

The Applicant's attorney held a telephone discussion with the Examiner on September 20, 2005 and again on October 6, 2005 at which the following issues were discussed and resolutions reached:

1. Priority

While the Examiner acknowledged the Applicants' priority claim, the Examiner believed that it was invalid as being based on an application filed more than 12 months prior to the filing of the present application.

The undersigned indicated that the present application is a US national entry counterpart to the Applicants' PCT application which itself claims priority to

the Applicants' underlying Dutch application. Though the Dutch application (serial number 1011357; filed February 22, 1999) was indeed filed more than 12 months prior to the filing date of the present application, the PCT application was filed (on February 11, 2000) within 12 months of the Dutch filing with the US having been a designated state. US national entry occurred, on August 3, 2001, which is within the 18-month PCT period (that period having expired on August 11, 2001). Hence, the Applicants stated that their priority claim to their underlying Dutch application was proper.

The Examiner, after having conferred with his colleagues, agreed with the undersigned that the Applicants' priority claim is indeed proper.

2. Goldsmith et al patent

The undersigned indicated that the Goldsmith et al patent, cited by the Examiner, which was filed on May 12, 1999 and formed the basis of a prior art rejection, is not prior art inasmuch as that patent was filed after the filing date (February 22, 1999) of the Applicant's Dutch priority application.

In response, the Examiner inquired whether the Applicants had filed an English-language translation of their Dutch application. Though the undersigned indicated they did (see the enclosed copy of an acknowledgement of receipt postcard, to which the undersigned also referred during the interview), the Examiner could not locate the

filed translation and requested that the Applicants file a substitute copy.

3. Drawing

In the action, the Examiner required the Applicants to amend their application to include another figure for the reason that the sole drawing in the application, as filed, is "insufficient to convey the invention."

Neither the undersigned nor his colleague in the intellectual property department at the assignee could determine, from the rather broad reason given by the Examiner, what the Examiner specifically wanted the additional drawing sheet to depict. Hence, the undersigned inquired of the Examiner. In response, the Examiner and the undersigned agreed that the new figure should show a global environment in which the invention can be used.

The undersigned sincerely appreciates the courtesies extended by the Examiner in conferring with the undersigned, and addressing and resolving the above issues.

Priority

In the office action, the Examiner, while acknowledging the Applicants' priority claim, nevertheless and apparently believed that both the Applicants' PCT application filed on February 11, 2000 and their Dutch priority application filed on February 22, 1999 were too early to support the claim as the both applications were

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filed more than 12 months prior to the filing of the present US application.

In light of the discussions which the undersigned held with the Examiner and the resolution reached -- all as reported above, this issue no longer exists and any objections which the Examiner had to the Applicants' priority claim should now be withdrawn.

To further support their priority claim, the Applicants, although they have previously filed an English-language translation of their Dutch priority application (see the enclosed copy of an acknowledgement of receipt postcard for the original filing attesting to the receipt by the PTO of this translation, among other application papers), have enclosed another copy of that translation herewith.

Drawings

As noted above, the Examiner requested the Applicants to insert a second figure into the application and specifically one which showed a global environment in which the present invention can be used.

In response, the Applicants have now amended their application to include FIG. 2 which shows a networked environment in which the present invention can be utilized. This new figure finds full support in, e.g., page 5, lines 1-7 of the specification (specifically the amended sheets that form part of the Applicants' PCT application and

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based on which US national entry occurred). No new matter has been added to the drawings.

Furthermore, the Applicants also propose to include appropriate labels for the blocks in the originally filed figure, now labeled FIG. 1, and appropriately re-locate various reference numerals in that figure. All these proposed corrections are shown on the enclosed red-lined drawing sheet for this figure. The Applicants now solicit the Examiner's approval of all these corrections. Once approved, the Applicants will submit a substitute formal drawing sheet.

Specification amendments

Various amendments have been made to the specification to correct minor inadvertent grammatical, spelling and formal errors. A marked-up specification as well as a substitute specification is attached.

The Examiner also requested that the Applicants insert appropriate section headings into the specification. The Applicants have now done so.

The Applicants have also amended their specification to insert a description of their new drawing figure, FIG. 2, as well as to specifically change the reference from the "sole figure" or "the figure" to "FIG. 1" where appropriate. This description, as well as all other amendments made to the specification, does not add any new matter to the application.

Status of claims

To simplify amendments to the claims, the Applicants, rather than re-writing their claims, have simply canceled claims 1-4 and replaced them with new claims 5-8, respectively.

The new claims more precisely define the invention, than did the now canceled claims, and are drafted in conformity with proper US claim practice.

Rejection under 35 USC § 102

The Examiner rejected claims 1-4 under the provisions of 35 USC § 102(e) as being anticipated by the teachings of the Goldsmith et al patent (United States patent 6,526,443 issued to S. Y. Goldsmith et al on February 25, 2003).

As the Applicants note above, the Goldsmith et al patent, being filed after the filing date of the Applicants' Dutch priority application, does NOT constitute prior art. Consequently, this rejection made on the Goldsmith et al patent is misplaced and should be withdrawn.

Nevertheless and merely assuming for the sake of argument that the Goldsmith et al patent is prior art, the pending claims are not anticipated by the teachings of this patent and hence, in that context, the rejection is respectfully traversed. Inasmuch as claims 1-4 have now been canceled and replaced by new claims 5-8, this patent will be discussed with reference to these new claims.

The Goldsmith et al patent discloses an agent-based collaborative work environment which is specifically targeted to assisting users in managing complex transactions such as trans-shipment of goods across the US-Mexico border.

In essence and as described in col. 8, line 8 et seq of this patent, the environment is composed of agents that have been organized into so-called "agencies". An agency, as expressly defined in col. 8, line 24 et seq, is an "independent locus of processes, activities, and knowledge typically associated with a company, organization, department, site, household, machine, or some other natural positioning of the application domain." The activities of each agency are conducted by the constituent agents. In that regard and as stated in col. 8, line 32 et seq, agents "inhabit an agency for the express purpose of providing services, including interagency communications, that maintain the functioning of the agency and lead to satisfaction of the ultimate objectives of the agency." Here, as stated in col. 9, line 52 et seq, various agents are used to implement so-called "Electronic commerce agencies" to provide architectural features specific to electronic commerce.

Using this implementation, the agents, as discussed in col. 3, line 60 et seq; col. 5, line 38 et seq; and col. 6, line 35 et seq, provide the overall functions of eliciting specialized information from human informants to elicit form-based data, monitor overall progress of a cross-border documentation task, monitor the location of the shipment via tracking sensors, coordinate work flow and

attempt to influence human actors when problems are predicted or detected.

In that regard, this patent appears to specifically teach in col. 6, line 52 et seq, that agents associated with different parent organizations, but in a common agent collective, can communicate with each other and share data there between. The professed reason for doing so is to monitor status and coordinate work flow.

The present Applicants recognize in pages 1 and 2 of their specification (these and all page references hereinafter to the Applicants' specification are to the substitute specification enclosed herewith) that traditional agent-based systems, such as that taught by the Goldsmith et al patent, suffer various drawbacks.

In particular, given that such agents maintain mutual contact through a computer network, such inter-agency communication tends to impart a significant burden on a network. Furthermore, to implement such communication and other related functionality, such as mutual co-operation with other agents, each agent tends to be functionally rather extensive and, as such, implemented through a complex computer program. Moreover, a particularly important drawback, namely a security risk, arises from the fact that the agents, including the agencies disclosed in the Goldsmith patent, share information amongst themselves and are each free to communicate with a variety of different actors (including humans). By virtue of such inter-agent and inter-agency communication through which information is freely shared amongst different agents, confidential

information belonging to or concerning one user may well be provided to another user, thus breaching and possibly destroying the confidentiality of that information.

Advantageously, the present invention remedies these deficiencies by providing a hierarchical agent-based arrangement with fixed rules of communication, through which a personal agent associated with just one single user only interacts with personal service agents associated with that personal agent. The personal service agents perform specific sub-tasks only for and communicate with that personal agent. See, e.g., page 2, line 27 et seq and page 4, line 29 et seq of the present specification.

For example, as shown in FIG. 1, the inventive agent system may illustratively contain four different personal agents 11-14. Each of these agents is associated with only one corresponding user. Each user can access his(her) agent through PC 60 (or any of PC's 60' used in a networked environment shown in FIG. 2). Each of these personal agents interacts with one or two associated personal service agents within environments 30 and 40. As shown, personal agents 11 and 12 interact with personal service agents 31 and 21, and 22 and 32, respectively; personal agent 13 interacts just with personal service agent 23 in environment 20, and personal agent 14 interacts just with personal service agent 34 in environment 30. Each of the personal agents passes on orders from its associated user, but no one else, to its personal service agent(s) based on the needs of the user and instructs that personal agent to undertake a corresponding sub-task. Because each personal agent and each personal service agent, by virtue of

the fixed hierarchy, do not handle tasks for multiple users, confidential information for one user is not exchanged with another user. This, in turn, significantly heightens security over that provided by traditional agent-based systems. Moreover, each personal agent and its associated personal service agents do not directly communicate with any other such agent, but only through a neutral process (neutral coordinating system), such as processing part (process) 41, which coordinates the actions of all the personal service agents, including information exchange there between, for tasks that ultimately involve multiple users. Consequently, inter-agent communication is significantly reduced over that which would occur in traditional agent-based systems such as that taught by the Goldsmith et al patent, hence advantageously reducing network traffic. Furthermore, eliminating a need for each personal agent and personal service agent to maintain direct inter-agent communication with every other such agent greatly simplifies the programming of each such agent over that heretofore required in the art.

The Goldsmith et al patent has no disclosure whatsoever directed to the hierarchical agent-based arrangement which the Applicants now teach and specifically one in which each of the personal agents and personal service agents merely serve just one single associated user, and where the actions of the personal agents and personal service agents for that one user are coordinated through a neutral coordinator.

In fact, the Goldsmith et al patent, through its teachings of sharing information through inter-agent and

inter-agency communication, teaches directly away from the Applicants' present invention.

Independent claim 5 contains suitable recitations directed to the distinguishing aspects of the present invention. This claim recites as follows, with those recitations being shown in a bolded typeface.

"A personal agent system within a computer system, the personal agent system comprising:

a personal agent sub-system having a plurality of personal agents, each one of said personal agents being arranged to perform tasks for only one single user;

at least one service agent sub-system comprising a plurality of personal service agents, each of said personal service agents being arranged for carrying out a specific sub-task for one of said personal agents;
and

a coordinating sub-system comprising at least one coordination processor for mutual coordination of actions of said personal service agents for different ones of the users." [emphasis added]

Inasmuch as these distinguishing recitations are not shown, taught or disclosed by the teachings of the Goldsmith et al patent, then, assuming that this patent constitutes prior art, this claim is not anticipated by those teachings and is patentable, under the provisions of 35 USC § 102(e), there over.

Each of dependent claims 6-8 directly depends from claim 5 and recites further distinguishing aspects of the present invention. Consequently, again assuming that the Goldsmith et al patent constitutes prior art, then each of these dependent claims is also patentable under the

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provisions of 35 USC 102(e), over the teachings of this patent, for the same exact reasons set forth above.


Conclusion

Thus, the Applicants submit that none of the claims, presently in the application, is anticipated under the provisions of 35 USC § 102.

Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,

October 14, 2005

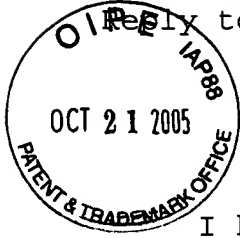

Peter L. Michaelson, Attorney
Reg. No. 30,090
Customer No. 007265
(732) 530-6671

MICHAELSON & ASSOCIATES
Counselors at Law
Parkway 109 Office Center
328 Newman Springs Road
P.O. Box 8489
Red Bank, New Jersey 07701

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I hereby certify that this correspondence is being deposited on **October 17, 2005** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Robert C. Markland

Signature

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Amendments to the Drawings:

The attached drawing sheets include changes to
Fig. 1 and inserts new Fig. 2.

Attachment: Annotated Sheet Showing Changes
New Drawing Sheet